

PRE-COURSE WORK ASSIGNMENT

COURSE:	Fire Program Management, M-581
LESSON:	A - Enabling Laws and Authorities
UNIT:	2 - Policy/Planning
SUGGESTED TIME:	1 hour
EQUIPMENT:	None
MATERIALS:	2A Pre-course Work Assignment
OBJECTIVES:	Upon completion of the pre-course work, participants will be able to identify federal and state laws that give agencies authority for fire management on agency lands.

ACTIVITY

Reading and researching related web sites.

A. INTRODUCTION

This activity will familiarize you with the federal and state laws that give agencies authority for fire management on agency lands. Thus, providing you with improved knowledge of laws and authorities that will assist in performing the Fire Program Manager's duties.

B. ASSIGNMENT

1. Read the following summary of the history and legal mandates, and link your agency procedural guidance to the higher level legal framework. Use the websites to research specific laws and regulations that influence your work on the ground. Be prepared to discuss in the classroom:
 - a. Federal and State laws that give your agency authority for fire management on it's lands.
 - b. An example of how states have the authority to supplement federal laws.
 - c. National agreements that allow interagency participation in fire management activities at your agency and district.
 - d. Type of agreement(s) can be used at the local level to engage in fire management activities with another entity from your district.
2. The attached handouts (HO-1 Web Sites, HO-2 CFR Index and HO-3 thru HO-7 Agency Policy List) should also be read. Use the web site list to checkout related web sites, the CFR Index is a handy resource to navigate the Code of Federal Regulations and the NPS Policy List is an example of a summery of one agencies tiered laws, regulations and policies.

FIRE PROGRAM MANAGEMENT, M-581
2A - ENABLING LAWS AND AUTHORITIES
History and Legal Mandates

POLICY/PLANNING FLOWCHART

As fire managers, we use fire for life/property/resource protection, to regulate fuels, and maintain healthy ecosystems. When we operate within the scope of our duty, in a non-negligent manner, and manage risk appropriately, the agency should stand behind us.

A. Resources that can be relied on to avoid liability:

1. Be an informed decision-maker. Stay current with all levels of policy, directives, and agency procedures.
2. Have detailed, up-to-date Land/Resource Management Plans.
3. Fire Management Plan.
4. Develop thorough prescribed burn plans and follow them.
5. Involve interdisciplinary teams throughout the planning process.
6. Involve the public in decisions and keep them informed.

B. Enabling Laws/Policy

1. Constitution
2. Federal Laws (Congressional Statutes)
3. State Laws
4. National Interagency Policy
5. National Agency Direction (Administrative Law, Manuals)
6. Regional Agency Direction
7. Forest/Park/Unit
8. Planning/implementation - IDT

ENABLING LAWS/POLICY DEFINED

A. Constitution

Article I, §1 of the United States Constitution states all legislative powers are granted to the United States Congress consisting of the Senate and House of Representatives.

B. Federal Laws/Statutes

Congress passes laws (statutes) to undertake certain actions, generally to promote public welfare. Although a statute will provide the basis for legal protection, regulations that implement that statute must be promulgated by the regulatory agency that has been given duties under that statute. Congress can change the agencies' power by amendments to the statute or controlling the agencies' appropriations, and other techniques.

Examples of Congressional Statutes:

1. Administrative Procedures Act – basic procedural requirements that the agency must comply regarding public access of information and participation in rulemaking.
2. Healthy Forest Protection Act
3. National Environmental Policy Act

4. Endangered Species Act

C. US Code

The United States Code is the codification by subject matter of the general and permanent laws of the United States.

D. Treaties

An international law initiated by the president and approved by the Senate that is a compact between two or more independent nations with a view to public welfare.

E. State Laws

The environmental regulation at the state and local levels is what is commonly called, "police power." This is the power to protect the public health, safety, and general welfare. State laws are created by the state legislation. They are found in the (name of state) Statutes. There are also State Administrative Codes and State Administrative Regulations. These can be found in Regional Reporters and State Reporters.

State and local governments may have their own environmental laws, such as a State Wilderness Act or State Environmental Protection Act. In some instances, the state laws are more stringent than federal laws. Federal Agencies are required to abide by these more restrictive laws. Additionally, the Environmental Protection Agency (EPA) has delegated much of the responsibility of enforcing several environmental statutes to the states, but EPA retains concurrent authority to enforce permit requirements in sanctioned programs and has veto power over individual state permits.

Examples:

1. Clean Air Act
2. Clean Water Act

F. Executive Orders

Executive Orders are official documents through which the President of the United States manages the operations of the Federal Government.

G. National Interagency Policy

1. 1995 Policy Review
2. 1998 Implementation Guide
3. 2001 Policy Review
4. National Fire Plan

H. Directives/Directors Orders

An order issued by the director of an agency generally to provide initial policy or guidance for temporary delegations, emergency directives, special assignments, and alike. **Handbooks** generally explain how to carry out directives.

I. Administrative Agency Regulations & Policy Documents

Within the statute (act, enabling legislation) it is defined by Congress which federal agency will have the authority to regulate. These agencies are "agents" of the legislative branch. An agency can make laws, govern private conduct, issue rules and regulations, enforce these rules and regulations, and adjudicate.

J. Code of Federal Regulations

1. Once a rule has been addressed by formalized “notice and comment” procedures by a federal agency, it is published in the Federal Register. The rule is codified in the Code of Federal Regulations (CFRs) and becomes law. The CFR is updated twice a year. It is divided into 50 topic areas and arranged by agency. Generally, the title numbering of the CFR is the same as the corresponding statute in the US Code.
2. Added to statutes and regulations are the court cases that interpret them further. When a controversy arises, the federal courts interpret the legality of the statute, the regulations, and the implementation of both.
3. To stay current on environmental regulations, first consult the CFR. Then browse the guide index of the Federal Register to see if there have been any changes proposed or promulgated since the publication of your CFR.

K. Guidance Documents/Agency Manuals

From the administrative agencies interpreting those areas not expressly stated by the statute and regulations.

1. NPS Management Policies 2001
2. Forest Service Manual 5100
3. Department of the Interior Departmental Manual 620, DM 1-2 Wildland Fire Management
4. National Park Service-Director's Order 18/Reference Manual 18 (RM-18)
5. U.S. Fish and Wildlife Service-Service Manual Chapters 095 FW 3, 232 FW 6, 241 FW 7, 621 FW 1-3
6. Bureau of Indian Affairs- Wildland Fire Management IAM Part 90
7. Bureau of Land Management-9200 BLM Manual

L. Federal and State Court Decisions

Laws and regulations are often vague. Court decisions are often what defines these laws. It is very important to understand how courts are interpreting them.

M. Local Ordinances

Local Laws (Ordinances) are found under (Name of Municipality) Ordinances, under the Local Administrative Regulations. Local administrative agencies publish these in different publications, but many are now found online.

N. Forest/Park/Unit

1. Land/Resource Management Plans

Fire Management Plans updated annually. These describe implementation of Land Management Plan goals.

2. Local Operating Plans – tiered from Master Agreements. They describe the roles and expectations among cooperators. They lay out protection responsibilities and operating procedures, including cost apportionment, across jurisdictions.
 - a. Wildland/Urban Interface
 - b. Fire Protection Agreements
 - c. Annual Operating Plans

3. National Environmental Policy Act (NEPA) – different levels

- a. Environmental Screening Documents
 - (1) Categorical Exclusions
 - (2) Environmental Assessments
 - (3) Environmental Impact Statements
- b. Planning/implementation - IDT
 - (1) Projects, Programs, Fire Use
 - (2) WFSA
 - (3) Compliance – CFR
 - (4) Incident Action Plans
 - (5) Prescribed Fire Plans
 - (6) Burned Area Emergency Rehabilitation Plan
 - (7) Wildland Fire Implementation Plan

ENABLING LAWS AND AUTHORITIES

A. U.S. Department of Agriculture Authorities

The following acts contain legal requirements and authorities to plan and carry out activities to protect National Forest System lands and resources from fire:

1. Organic Administration Act, Act of June 4, 1897 (16 U.S.C. 551) authorizes the Secretary of Agriculture to make provisions for the protection of national forests against destruction by fire.
2. Cooperative Funds Act of June 30, 1914 (P.L. 63-122, Ch. 131, 38 Stat. 430, as amended; 16 U.S.C. 504) provides funding toward cooperative work in forest investigations, or the protection and improvement of the national forests.
3. McSweeney-McNary Act of 1928 gave the Forest Service responsibility for federal forestry research, including fire research.
4. Bankhead-Jones Farm Tenant Act, Act of July 22, 1937 (7 U.S.C. 1010,1011) authorizes and directs the Secretary of Agriculture to develop a program of land conservation and land utilization to protect the public lands.
5. The Wilderness Act, Act of September 3, 1964 (16 U.S.C. 1131,1132) authorizes the Secretary of Agriculture to take such measures as may be necessary in control of fire within designated wilderness.
6. Cooperative Funds and Deposits Act of December 12, 1975 (P.L. 94-148, 89 Stat. 804; 16 U.S.C. 565a-1 through 565a-3) facilitates the administration of the programs and activities of the Forest Service, and authorizes the Secretary to negotiate and enter into cooperative agreements with public or private agencies.
7. The National Forest Management Act of 1976, Act of October 22, 1976 (16 U.S.C. 1600) directs the Secretary of Agriculture to specify guidelines for land management plans to ensure protection of fire resources.

8. Cooperative Forestry Assistance Act of July 1, 1978 (16 U.S.C. 2101, P.L. 95-313) authorizes the Secretary of Agriculture to provide technical assistance to non-federal, private forests, and Indian forests.
9. Wildfire Disaster Recovery Act of 1989 (16 U.S.C. Sec 551B, P.L. 101-286) allows the Secretary of Agriculture to make provisions for the protection against destruction by fire and depredations upon the public forests and national forests.

B. U.S. Department of Interior Authorities

The following acts contain legal requirements and authorities to plan and carry out activities to protect Department of Interior lands and resources from fire:

1. The National Park Service Organic Act of 1897 (16 U.S.C. 1) provides basic authority for fire protection and suppression on National Park system lands.
2. Protection Act of September 20, 1922 (42 Stat. 857; 16 U.S.C. 594) authorizes the Secretary of Interior to protect timber owned by the U.S. Government from fire, disease, or insect diseases, and gave the National Park Service its first fire budget.
3. Taylor Grazing Act of 1934, established a federal Grazing Service that was locally administered. The advent of the Grazing Service committed the Interior Department to attempt at least some form of resource management.
4. Fish and Wildlife Coordination Act of 1934, as amended 16 U.S.C. 661 to 666c, P.L. 97-258 (96 Stat. 1008) provides assistance to, and allows cooperation with federal, state, and public or private agencies and organizations.
5. O and C. Act of August 28, 1937 (50 Stat. 875, 43 U.S.C. 1181e) provided for sustained yield forestry on O & C lands. The Alaska Fire Control Service was then established in 1939.
6. Federal Property and Administrative Service Act of 1949 (40 U.S.C. 471, et seq.) provides the government an economical and efficient system for procurement and supply of personal property and non-personal services.
7. National Wildlife Refuge System Administration Act of 1966 as amended (80 Stat. 927; 16 U.S.C. 668dd through 668ee) is the “organic” law under which national wildlife refuges are managed.
8. Alaska Native Claims Settlement Act of December 18, 1971 (85 Stat. 688; 43 U.S.C. 1601) provides native groups with a cash settlement and the right to select federal land from a pool of mostly national forest land.
9. Federal Fire Prevention and Control Act of October 29, 1974 (88 Stat. 1535; 15 U.S.C. 2201 et. seq.) authorizes reimbursement to state and local fire services for costs incurred in firefighting on federal property.
10. Federal Land Policy and Management Act of 1976 (43 U.S.C. 1748, P.L. 94-572) provides for protection of Public Lands and resources from destruction by fire.

11. Federal Grant and Cooperative Agreement Act of 1977 (P.L. 95-224, subsequently re-codified as Chapter 63 of P.L. 97-258 (31 U.S.C. 6301 et seq.) directs federal agencies to provide uniformity in the use of business instruments under two basic categories, (a) acquisition and (b) financial assistance.
12. Alaska National Interest Lands Conservation Act of December 2, 1980 (94 Stat. 2371) obviates the need for additional legislation to protect the scenic, natural, cultural, and environmental values of public lands in Alaska.
13. National Indian Forest Resources Management Act of November 28, 1990 (Pub. L. 101-630) requires Secretary of the Interior approval of management plans. Provides authority for cooperative agreements between the Secretary of Interior and Tribes.
14. Indian Self-Determination and Education Assistance Act (PL 93-638) as amended established to provide maximum Indian participation in education as well as other federal services to Indian communities.
15. Tribal Self-Governance Act of 1993 (HR.3508) (P.L. 103-413) amends the Indian Self-Determination and Education Assistance Act to establish within the Department of the Interior, a program of Tribal Self-Governance, and directs the Secretary of Interior to enter into annual funding agreements with the governing body of each participating tribe.
16. Department of the Interior and Related Agencies Appropriations Act (P.L. 103-32).
17. National Park Service Acts as amended (67 Stat. 495, 16 U.S.C. 1b) authorizes the Secretary of the Interior to provide for emergency assistance, rescue, firefighting, and cooperative assistance to nearby law enforcement and fire prevention agencies for related purposes outside of the National Park System.
18. National Wildlife Refuge System Improvement Act of 1997 (P.L. 105-57) amends the National Wildlife Refuge System Administration Act of 1966 to improve the management of the System, and for other purposes.

C. USDA/USDI Authorities

The following acts contain legal requirements and authorities to plan fire protection activities on other lands under appropriate circumstances:

1. The Economy Act of 1932, Act of June 30, 1932 (41 U.S.C. 686) provides for procurement of materials, supplies, equipment, work, or services from other federal agencies.
2. The Granger-Thye Act, Act of April 24, 1950 (16 U.S.C. 572) authorizes expenditure of funds to erect buildings, lookout towers, and other structures on land owned by states. Provides for the procurement and operation of aerial facilities and services for the protection and management of lands administered by the agency.
3. The Reciprocal Fire Protection Act, Act of May 27, 1955 (42 U.S.C. 1856) authorizes reciprocal agreements with federal, state, and other wildland fire protection organizations.

4. The Wildfire Suppression Assistance Act, Act of April 7, 1989 (Pub. L. 100-428, as amended by Pub. L. 101-11) allows the Secretary of Agriculture and other agency heads to enter into agreements with foreign fire organizations for assistance in wildfire protection.
5. Supplemental Appropriation Act of September 10, 1982 (96 Stat. 837) with additional funds, authorizes both Secretaries to enter into contracts with State and local governmental entities, including local fire districts, for procurement of services in the presuppression, detection, and suppression of fires on any units within their jurisdiction.
6. Disaster Relief Act of May 22, 1974 (88 Stat. 143; 42 U.S.C. 5121) authorizes the Federal government, because of major disasters, to provide special assistance to affected States in providing aid, assistance, and emergency services and the reconstruction and rehabilitation of devastated areas.
7. Threatened and Endangered Species Act of 1973 (16 U.S.C. 1531 through 1544) a legal mandate to protect threatened and endangered wildlife and plants.
8. The Clean Air Act of 1977, as amended, Act of August 7, 1977 (42 U.S.C. 1857) provides for the protection and enhancement of the nation's air resources.

D. State Authorities

Authorities for states can be found in state constitution, laws, or statutes.

Alaska Statutes 41.15.010-41.15.170 provides authority through the Commissioner of Natural Resources, which has been delegated to the Division of Forestry, to protect natural surface resources as determined by the values-at-risk on all lands under State, private, and municipality ownership, with the exception of private lands protected by the federal government as enacted by law.

International Agreement

The Canada/United States Reciprocal Forest Firefighting Resources Arrangement, May 7, 1982 - this arrangement is in the form of an exchange of Diplomatic Notes between the two governments. This arrangement provides for the exchange of fire suppression resources between the two countries.

GEOGRAPHICAL UNIQUENESS

There are laws or agreements unique to geographical area. Experts from each of the cooperating agencies can be contacted for current local laws and agreements. The following are examples of different forms of geographical area agreements.

A. Compacts

Compacts have traditionally been used in the eastern U.S. and involve fire protection agreement between several states or provinces within a geographical area. The Forest Service may be involved in state compacts as a facilitator only or as a signatory member. The purpose of compacts is to promote effective prevention, presuppression, and control of wildfires through mutual aid and cooperation. Compacts serve as a forum for the exchange

of information on common issues and as a means for initiating cost effective prevention and education programs. The following is an example of a compact:

The Great Lakes Forest Fire Compact - a partnership between the states of Michigan, Wisconsin, and Minnesota and the provinces of Ontario and Manitoba.

B. Special Laws

Within a geographical area, laws specific to a location may have been passed at the national or state level. These laws may state conditions that must be applied. The following is an example that affects Alaska only.

Alaska Native Claims Settlement Act (ANCSA), 1972. This was a Congressional Statute, which under section 21(e) states that "...lands belonging to a native group, or Village or Regional Corporation, so long as there are no substantial revenues, will receive wildland fire protection services from the United States at no cost." The law also identified the Department of Interior as the department that would provide the protection.

FIRE PROGRAM MANAGEMENT, M-581
2A – ENABLING LAWS, AUTHORITIES, AND AGREEMENTS
Web Sites

Federal Register Home Page

http://www.archives.gov/federal_register/index.html

Government Printing Office, CFR searches and access

<http://www.gpoaccess.gov/>

Government Printing Office, USC search and access

<http://www.gpoaccess.gov/uscode/browse.html>

Legal Information Institute – USC with parallel CFR

<http://www4.law.cornell.edu/uscode/16/1600.html>

Regulations.gov -- Can view regulations open for public comment.

http://www.regulations.gov/topical_guide.cfm

Thomas: Library of Congress – Search bills, statutes, treaties

<http://thomas.loc.gov/home/thomas.html>

Library of Congress – access state laws and other legal references

<http://www.loc.gov/law/guide/us.html#states>

Federal and State Government Regulations and Program References

<http://www.epa.gov/docs/epacfr40/find-aid.info/state/>

State Government Websites for State Environmental Laws– Example: Wyoming

<http://wyoming.gov/government.asp>

Overview of Executive Orders Affecting Federal Facilities – EPA

<http://www.epa.gov/fedsite/eo.html>

Review and Update of the 1995 Federal Wildland Fire Management Policy 2001

http://www.nifc.gov/fire_policy/history/index.htm

Implementation of the Federal Wildland Fire Management Policy

<http://fire.fws.gov/Policy/Alloc.pdf>

Interagency Strategy for the Implementation of Federal Wildland Fire Management Policy, June 20, 2003

http://www.nifc.gov/fire_policy/pdf/strategy.pdf

National Fire & Aviation Executive Board: Federal Fire Policy Directives Task Group

http://www.nifc.gov/fire_policy/

Healthy Forest Initiative

<http://www.healthyforests.gov/index.html>

National Fire Plan (listed below are documents linked from the site)

<http://www.fireplan.gov/resources/policies.html>

- [Identifying and Prioritizing Communities at Risk](#)
- [NASF Field Guidance: Communities at Risk](#)
- [Communities at Risk: Federal Register \(1/14/01 \)](#)
- [Communities at Risk: Federal Register \(8/17/01 \)](#)
- [Memorandum of Understanding on Policy Principles for Woody Biomass Utilization for Restoration and Fuel Treatments on Forests, Woodlands and Rangelands](#)
- [10-Year Comprehensive Strategy](#)
- [Report to the President](#)
- [Memorandum of Understanding for the Development of a Collaborative Fuels Treatment Program](#)
- [Memorandum of Understanding Establishing the Wildland Fire Leadership Council](#)
- [Fuel Treatment Program Development and Collaboration Process](#)
- [A Collaborative Approach for Reducing Wildland Fire Risks to Communities and the Environment 10 Year Comprehensive Strategy: Implementation Plan](#)
- [Memorandum of Understanding for Coordination and Cooperation of Fire Department Wildland Fire Assistance Programs](#)
- [Federal Wildland Fire Management Policy](#)

TriData Safety Study, Phase II

http://www.nifc.gov/safety_study/phase2.pdf

National Interagency Mobilization Guide Chapter 40

<http://www.nifc.gov/news/2001nmg.pdf>

A Collaborative Approach for Reducing Wildland Fire Risks to Communities and the Environment: 10-Year Comprehensive Strategy, August 2001.

<http://www.fireplan.gov/reports/7-19-en.pdf>

Wildland Fire Lessons Learned Website

<http://www.wildfirelessons.net/Overview.htm>

Interagency Fire Management Plan Template Approval Page

<http://www.blm.gov/nhp/efoia/wo/fy02/im2002-249attach1.pdf>

Interagency Fire Management Plan Template

<http://www.blm.gov/nhp/efoia/wo/fy02/im2002-249attach2.pdf>

Fire Program Analysis – Preparedness Module: Fire Management Units

http://fpa.nifc.gov/Library/Fire_Management_Units_090704.pdf

Forest Service Directives – USFS Manuals and Handbooks

<http://www.fs.fed.us/im/directives/>

Forest Service Directives - Fire Management

<http://www.fs.fed.us/im/directives/dughtml/fsm5000.html>

National Park Service Director's Orders

<http://data2.itc.nps.gov/npspolicy/DOrders.cfm>

General Accounting Office Testimony- The National Fire Plan: Federal Agencies Are Not Organized to Effectively and Efficiently Implement the plan

<http://www.gao.gov/new.items/d011022t.pdf>

The Changing Role and Needs of Local, Rural, and Volunteer Fire in the Wildland-Urban Interface: Recommended Actions for Implementing the 10-Year Comprehensive Strategy

http://www.nvfc.org/pdf/wildland_fire_report_03.pdf

CEQ NEPA Guidance

<http://ceq.eh.doe.gov/nepa/regs/guidance.html>

Searching national, regional, and local environmental groups provides information on what activities are important to them.

FIRE PROGRAM MANAGEMENT, M-581
2-A ENABLING LAWS, AUTHORITIES, AND AGREEMENTS
CFR Index

GPO Access Resources by Topic: The Environment

This page is a listing of GPO Access Resources that pertain to a broad topic area, and is constantly updated and improved. If you have any comments or suggestions for content on this page, please contact the [GPO Access User Support Team](#).

[Frequently Requested Information](#) | [Environmental Regulations](#) | [Environmental Legislation](#)
[Purchase Environmental Publications](#) | [Additional Federal Environmental Resources](#)

Frequently Requested Information

- **Code of Federal Regulations (CFR): [Title 40 -- Protection of Environment](#)**
Title 40 presents regulations governing care of the environment. Programs addressing air, water, pesticides, radiation protection, and noise abatement are included. Practices for waste and toxic materials disposal and clean-up are also prescribed. Additions and revisions to this section of the code are posted annually by July. Publication follows within six months.

Federal Environmental Regulations

Use the [Federal Register](#) (FR), [Code of Federal Regulations](#) (CFR), and [List of Sections Affected](#) (LSA) to locate new, proposed, and amended regulations concerning the environment. You can also find, review, and submit comments on Federal rules open for comment using [Regulations.gov](#) or find out about developing or recently completed regulations using the [Unified Agenda](#).

The following is a list of executive branch agencies that issue regulations related to the environment, and where they appear in the CFR.

- Council on Environmental Quality -- [Title 40](#), V
- Department of Agriculture
 - Office of Environmental Quality -- [Title 7](#), XXXI
 - Forest Service -- [Title 36](#), II
 - Natural Resources Conservation Service -- [Title 7](#), VI
- Department of Commerce
 - Fishery Conservation and Management -- [Title 50](#), VI
 - National Marine Fisheries Service -- [Title 50](#), II, IV, VI
 - National Oceanic and Atmospheric Administration -- [Title 15](#), IX; [Title 50](#), II, III, IV, VI
 - Council on Environmental Quality -- [Title 40](#), V
- Department of Interior
 - Bureau of Land Management -- [Title 43](#), II
 - Endangered Species Committee -- [Title 50](#), IV

- Geological Survey -- [Title 30](#), IV
 - National Park Service -- [Title 36](#), I
 - United States Fish and Wildlife Service -- [Title 50](#), I, IV
- Department of Transportation
 - Federal Highway Administration -- [Title 23](#), I, II
- Environmental Protection Agency -- [Title 5](#), LXII, [Title 40](#), I, IV, VII
 - Federal Acquisition Regulation -- [Title 48](#), [Title 15](#)
 - Property Management Regulations -- [Title 41](#), Chapter 115
 - Office of Environmental Quality -- [Title 7](#), XXXI
- Fishery Conservation and Management -- [Title 50](#), VI
- National Oceanic and Atmospheric Administration -- [Title 15](#), IX, [Title 50](#), II, III, IV, VI

NOTE: This list of issuing agencies is based upon Appendix C of the 2002-2003 U.S. Government Manual.

Federal Environmental Legislation

Pending and approved legislation, debates on legislation, transcripts of hearings, bill status, and research reports concerning the environment can be found in the following *GPO Access* databases:

- [Congressional Bills](#)
- [Congressional Committee Prints](#)
- [Congressional Hearings](#)
- [Congressional Record](#) (CR)
- [Congressional Record Index](#) (CRI)
- [Congressional Reports](#)
- [History of Bills](#)
- [Public and Private Laws](#)
- [U.S. Code](#)
 - Titles: [7](#) (Agriculture) , [15](#) (Commerce and Trade), [16](#) (Conservation), [30](#) (Mineral Lands and Mining), [33](#) (Navigation and Navigable Waters), and [43](#) (Public Lands)
 - Other Titles of Interest: [21](#) (Food and Drugs)

The following is a list of congressional committees related to the environment:

- **House of Representatives** > [Committee on Resources](#)
Five subcommittees are responsible for bills and matters relating to: National Parks, Recreation, & Public Lands; Fisheries Conservation, Wildlife & Oceans; Energy & Mineral Resources; Water & Power; and Forests & Forest Health.
- **Senate** > [Agriculture, Nutrition, And Forestry Committee](#)
Four subcommittees (Subcommittee on Aging, Subcommittee on Children and Families; Subcommittee on Employment; Safety, and Training; and Subcommittee on Public Health) are responsible for bills and matters that related such health related issues as: aging, biomedical research and development, domestic activities of the American National Red Cross, handicapped individuals, occupational safety and health, including the welfare of miners, and public health.
- **Senate** > [Environment And Public Works Committee](#)
Responsible for bills and matters relating to the protection of the environment, air and

water pollution control, relief from natural disasters, endangered species, fish and wildlife refuges and programs; and the nation's interstate highway system, flood control and navigation projects, air and water pollution control, rural and community economic development, and relief from natural disasters

- **Senate** > [Energy and Natural Resources Committee](#)

Has oversight and legislative responsibility for public lands that public lands administered by the Bureau of Land Management and U.S. Forest Service including farming and grazing thereon, and wilderness areas; establishment of wildlife refuges on public lands and wilderness designation therein; military land withdrawals; reserved water rights; national mining and minerals policy and general mining laws; surface mining, reclamation and enforcement; mining education and research; Federal mineral leasing; Naval oil shale reserves; and deep seabed mining.

Purchase Federal Environmental Publications

View a collection of health care related publications available for purchase from the [U.S. Government Online Bookstore](#) in the following topics:

- [Air Pollution](#)
- [Aquatic Life](#)
- [Conservation](#)
- [Earth Sciences](#)
- [Environmental Protection](#)
- [Global Change](#)
- [Minerals](#)
- [National Park Service Handbooks](#)
- [Solar Energy](#)
- [Trees, Forest Management and Products](#)
- [Water Management](#)
- [Weather](#)
- [Wildlife](#)

Federal Environmental Web Sites

Locate information throughout the Federal Government. These resources link to information that may not be part of *GPO Access* or its partner sites.

- [Agency Indexes Publications](#): Created by Federal agencies to identify their publications. Retrieve bibliographic citations and, when available, the full text of the document.
 - [Department of Agriculture](#)
- [Browse Topics](#): Federal Government Web sites organized into subject areas.
 - [Agriculture](#)
 - [Air Pollution](#)
 - [Animal Welfare](#)
 - [Aquatic Life](#)
 - [Birds](#)
 - [Earth Sciences](#)

- [Environmental Protection](#)
 - [Global Change](#)
 - [Pest and Weed Control](#)
 - [Solar Energy](#)
 - [Water Management](#)
 - [Weather](#)
- [Catalog of U.S. Government Publications](#): Locate Federal agency publications. Items may be available online, at at local Federal depository library, or for purchase.
- Federal Agency Internet Sites: [Search](#) | [Browse](#)
- [FDLP Electronic Collection \(FDLP/EC\)](#): Specialized collections of full-text information.
- [Government Information Locator Service](#) (GILS)

FIRE PROGRAM MANAGEMENT M-581
2A – ENABLING LAWS, AUTHORITIES, AND AGREEMENTS
Bureau of Indian Affairs

Listed below are laws, policies, and other agency specific references to help guide fire managers in the planning process. Managers should be aware of these policies and procedures and consider them throughout the planning/implementation process. This list is for reference only and is by no means all-inclusive. Managers must examine what is appropriate for their individual park or unit.

Executive/Congress

<http://www.law.cornell.edu/statutes.html>

Statutes (in alphabetical order)

Administrative Procedures Act of 1946
Alaska National Interest Conservation Act of 1980 (ANILCA)
Alaska Native Claims Settlement Act of 1971
Antiquities Act of 1906
Archaeological and National Historic Preservation Act of 1960, as amended
Archaeological Resources Protection Act of 1960
Clean Air Act of 1970, as amended
Clean Water Act of 1972, as amended
Department of the Interior and Related Agencies Appropriations Act
Disaster Relief Act of 1974, as amended
Economy Act of 1932
Endangered Species Act of 1973, as amended
Federal Fire Prevention and Control Act of 1974 as amended: Fire Administration Authorization Act of 2000
Federal Grant and Cooperative Agreement Act of 1977 as amended
Federal Land Policy and Management Act of 1976
Federal Property and Administrative Service Act of 1949
Indian Self-Determination and Education Assistance Act as amended
McSweeney-McNary Act of 1928
Migratory Bird Treaty Act of 1918
Museum Properties Management Act of 1955, as amended
National Environmental Policy Act of 1969, as amended
National Historic Preservation Act of 1966
National Indian Forest Resources Management Act of 1990
National Park Service Acts as amended
National Wildlife Refuge System Administration Act of 1966 as amended
O & C Act of 1937
Protection Act of 1922
Reciprocal Fire Protection Act of 1955
Rivers and Harbors Act of 1938
Supplemental Appropriation Act of 1982
Taylor Grazing Act of 1934
Tribal Self-Governance Act of 1994
Wild and Scenic Rivers Act of 1968
Wilderness Act of 1964

Wildfire Disaster Recovery Act of 1989
Wildfire Suppression Assistance Act of 1989

Executive orders are official documents, numbered consecutively, through which the President of the United States manages the operations of the Federal Government

http://www.archives.gov/federal_register/executive_orders/executive_orders.html

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Executive Order # 11988: Flood Plain Management
Executive Order # 11990: Protection of Wetlands
Executive Order # 12088: Federal Compliance with Pollution Control Standards
Executive Order # 12148: Federal Emergency Management
Executive Order # 12898: General Actions to Address Environmental Justice in Minority Populations and Low-Income Populations
Executive Order # 13007: Indian Sacred Sites
Executive Order # 13084: Consultation and Coordination with Indian Tribal Governments
Executive Order # 13112: Invasive Species
Executive Order # 13186: Responsibilities of Federal Agencies to Protect Migratory Birds

Federal Register

http://www.archives.gov/federal_register/publications/about_the_federal_register.html

Code of Federal Regulations

<http://www.gpoaccess.gov/cfr/index.html>

25 CFR Chapter I, Bureau of Indian Affairs, Department of the Interior, 1-299
43 CFR 7 Protection of Archaeological Resources
36 CFR 800 Protection of Historic Properties
40 CFR 1500 Regulations for Implementing the National Environmental Policy Act

Other Agency Regulations

Council on Environmental Quality – National Environmental Policy Act Guidelines

<http://ceq.eh.doe.gov/nepa/nepanet.htm>

Environmental Protection Agency

<http://www.epa.gov/>

Federal Aviation Administration (FAA) rules and regulations

<http://www.faa.gov/regulations/index.cfm>

Interagency Policy

10-Year Comprehensive Study 2000 President Clinton: Memorandum of Action to the Secretaries of Agriculture and Interior. 2001 Secretaries joined with the Western Governor's Association, National Association of State Foresters, National Association of Counties, and the Intertribal Timber Council
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Incident Response Pocket Guide (PMS 461)

Interagency Burned Area Emergency Stabilization and Rehabilitation Handbook (USDA, USDI, 2002)

Interagency Helicopter Operations Guide

Interagency Incident Business Management Handbook (PMS 902-1)

Interagency Standards for Fire and Fire Aviation Operations 2004

National Fire Plan

National Interagency Incident Management System Wildland and Prescribed Fire Qualifications System Guide (PMS 310-1)

National Interagency Mobilization Guide (NFES 2092)

National Wildfire Coordinating Group (NWCG)

Department of Interior

USDI Departmental Manual

Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation

Department of Interior Secretarial Order No. 3206

Secretarial Order No. 3175

Department Manual, Part 620, Part 910

Aviation Management and Department Manual, Parts 350 - 354

DOI Incident Qualification System

DI 1202 process (reporting burns?)

Departments BAER Handbook

FirePro – DOI firefighting accounting (RM -18)

Bureau of Indian Affairs

BIA Wildland Fire and Aviation Program Management and Operations Guide, 2004

25 USC 163.28

Indian Affairs Manual, Part 90

Guideline for Tribally operated Self-governance and Self-determination Wildland Fire Management Programs

DM 620 Wildland Fire Management

IAM 57 Aviation Management

IAM 90 Wildland Fire Management

Wildland Fire and Aviation Program Management and Operations Guide 2005

BIA Lands

State environmental laws

Resource Management Plans

Land Use Plans, Fire Management Plans,

Fire Management Program Analysis (FMPA)

Consultation

Local town offices

Local county offices

Town and county fire departments

State Department of Transportation

Neighboring forests

Office of the Governor

State Game and Fish Department and USFWS §7 of the ESA

State Historic Preservation Office - §110/106, and other consultation

State Department of Environmental Quality – under authority of the Clean Air Act, Clean Water Act ----

State Smoke Management Plan --- Meets the CAA and Regional Haze Rule

USFWS – National Wetlands Inventory

US Army Corps of Engineers §404 – wetland function affected §401

Tribal Offices

Special Interest Groups

Site Specific Plans

Incident Action Plans

Wildland Fire Situation Analysis (WFSA)

Wildland Fire Implementation Plan (WFIP)

Prescribed Fire Burn Plan

Hazard Fuel Reduction Plan

Burned Area Rehabilitation Plan (BAER)

FIRE PROGRAM MANAGEMENT M-581
2A – ENABLING LAWS, AUTHORITIES, AND AGREEMENTS
Bureau of Land Management

Listed below are laws, policies, and other agency specific references to help guide fire managers in the planning process. Managers should be aware of these policies and procedures and consider them throughout the planning/implementation process. This list is for reference only and is by no means all-inclusive. Managers must examine what is appropriate for their individual park or unit.

Executive/Congress

<http://www.law.cornell.edu/statutes.html>

See DOI Acts Listed in *Interagency Standards for Fire and Fire Aviation Operations, 2005*, Federal Fire Program Policy and Guidance Overview
Acts Specific to BLM Lands, example: Oregon and California (O&C) Railroad and Coos Bay Wagon Road Land Grant Act

Additional Statutes (in alphabetical order)

Administrative Procedures Act of 1946
Antiquities Act of 1906
Appropriations Act: Wildland Fire Management (2001)
Archaeological and National Historic Preservation Act of 1960, as amended
Archaeological Resources Protection Act of 1960
Clean Air Act of 1970, as amended
Clean Water Act of 1972, as amended
Conservation Programs on Government Lands 16USC 5C
Endangered Species Act of 1973, as amended
Federal Land Policy and Management Act of 1976 (FLMPA)
Fish and Wildlife Coordination Act
General Authorities Act of 1970, as amended
Major Disaster Assistance Programs: Fire Management Assistance
Migratory Bird Treaty Act of 1918
National Environmental Policy Act of 1969, as amended
National Historic Preservation Act of 1966
National Park Service Act, as amended
Pittman-Robertson Wildlife Restoration Act or Federal Aid in Wildlife Restoration
Rivers and Harbors Act of 1938
Wild and Scenic Rivers Act of 1968
Wilderness Act of 1964
Wildfire Disaster Recovery Act of 1989

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Executive Order # 12088: Federal Compliance with Pollution Control Standards
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Executive Order # 12898: General Actions to Address Environmental Justice in Minority
Populations and Low-Income Populations
Executive Order # 13007: Indian Sacred Sites
Executive Order # 13084: Consultation and Coordination with Indian Tribal Governments
Executive Order # 13112: Invasive Species
Executive Order # 13186: Responsibilities of Federal Agencies to Protect Migratory Birds

Federal Register

http://www.archives.gov/federal_register/publications/about_the_federal_register.html

Code of Federal Regulations

<http://www.gpoaccess.gov/cfr/index.html>

36 CFR 800 Protection of Historic Properties
40 CFR 1500 Regulations for Implementing the National Environmental Policy Act
43 CFR Public Lands – Interior
 43 CFR Subtitle A – Office of the Secretary of the Interior 100 -999
 43 CFR Subtitle B, Chapter II Bureau of Land Management, Department of the Interior
 1000-9999

Other Agency Regulations

Council on Environmental Quality – National Environmental Policy Act Guidelines
<http://ceq.eh.doe.gov/nepa/nepanet.htm>

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Interagency Agreement for Fire Management 1999. Amended the 1997 Interagency Agreement
between the BLM, Bureau of Indian Affairs, NPS, FWS of the US Department of Interior, and
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Secretarial Order No. 3175
Department Manual 910
Aviation Management and Department Manual, Parts 350 - 354
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DI 1202 process (reporting burns?)
Departments BAER Handbook
FirePro – DOI firefighting accounting (RM -18)

Bureau of Land Management

See "Principle Wildland Fire Laws for the US Department of the Interior Bureau of Land Management, Reference Guide." Draft, 2003.

BLM Land Use Planning Handbook 1601-1
BLM Manual, Section 9400 – Aviation Management
Final EIS Vegetation Treatment on BLM Lands in Thirteen Western States (1991)

Instruction Memorandum Supplement or amend BLM Management Policies.
Instruction Memorandum No. 2004-007 Land Use Plan and Implementation Plan Guidance for Wildfire Management

BLM State Offices

Supplemental policies, directives, and other guidance in conformance with Service-wide policies and authority, may be issued by State Directors or their delegates. See State BLM websites.
<http://www.wy.blm.gov/>

Land Use Plans/Resource Management Plans
Fire Management Implementation Plans/State Fire Management Plans
Zone management plans, analyses, and assessments

BLM State Field Offices

Managers may develop field office specific instructions, procedures, and other guidance documents for implementing Service or Statewide policy.

Enabling Legislation of the Park
Park General Management Plan
Fire Effects Monitoring Plan
Hazard Fuels Management Plan
Resource Management Plan
Joint Fire Management Plans with other agencies
Town and county plans (inter-governmental)
Interagency Fire Management Planning and Coordination Guide
Cooperative Fire Management Agreements
Interagency Aviation Management Plan (Local Agencies)

Consultation

Local town offices
Local county offices
Town and county fire departments
State Department of Transportation
Grazing Agreements
Private land releases
State Land Boards
Neighboring forests
Office of the Governor
State Game and Fish Department and USFWS §7 of the ESA
State Historic Preservation Office - §110/106, and other consultation
State Department of Environmental Quality – under authority of the Clean Air Act, Clean Water Act ----
State Smoke Management Plan --- Meets the CAA and Regional Haze Rule
USFWS – National Wetlands Inventory
US Army Corps of Engineers §404 and §401
Tribal Offices
Special Interest Groups

Site Specific Plans

Fire Planning Unit documents (interagency)
Habit management plans (interagency)
Incident Action Plans
Wildland Fire Situation Analysis (WFSA)
Wildland Fire Implementation Plan (WFIP)
Prescribed Fire Burn Plan
Hazard Fuel Reduction Plan
Burned Area Rehabilitation Plan (BAER)

DOI Acts Listed in

Interagency Standards for Fire and Fire Aviation Operations 2004

Federal Fire Program Policy and Guidance Overview

Alaska National Interest Conservation Act of 1980 (ANILCA)
Alaska Native Claims Settlement Act of 1971
Department of the Interior and Related Agencies Appropriations Act
Disaster Relief Act of 1974, as amended

Economy Act of 1932
Federal Fire Prevention and Control Act of 1974 as amended: Fire Administration Authorization Act of 2000
Federal Grant and Cooperative Agreement Act of 1977 as amended
Federal Property and Administrative Service Act of 1949
Indian Self-Determination and Education Assistance Act as amended
McSweeney-McNary Act of 1928
National Indian Forest Resources Management Act of 1990
National Park Service Acts as amended
National Wildlife Refuge System Administration Act of 1966 as amended
O & C Act of 1937
Protection Act of 1922
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Supplemental Appropriation Act of 1982
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FIRE PROGRAM MANAGEMENT, M-581
2A – ENABLING LAWS, AUTHORITIES, AND AGREEMENTS
National Forest Service

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Executive/Congress

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Statutes (in alphabetical order)

Administrative Procedures Act of 1946
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Alaska Native Claims Settlement Act of 1971
Antiquities Act of 1906
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Archaeological Resources Protection Act of 1960
Clean Air Act of 1970, as amended
Clean Water Act of 1972, as amended
Cooperative Forestry Assistance Act of 1978
Department of the Interior and Related Agencies Appropriations Act
Disaster Relief Act of 1974, as amended
Economy Act of 1932
Endangered Species Act of 1973, as amended
Federal Fire Prevention and Control Act of 1974 as amended: Fire Administration Authorization Act of 2000
Federal Grant and Cooperative Agreement Act of 1977 as amended
Federal Property and Administrative Service Act of 1949
Forest and Rangeland Renewable Resources Research Act of 1974
Forest Service Organic Administration Act of 1897
Indian Self-Determination and Education Assistance Act as amended
McSweeney-McNary Act of 1928
Migratory Bird Treaty Act of 1918
Multiple-Use Sustained-Yield Act of 1960
Museum Properties Management Act of 1955, as amended
National Environmental Policy Act of 1969, as amended
National Forest Management Act of 1976
National Historic Preservation Act of 1966
National Indian Forest Resources Management Act of 1990
National Park Service Acts as amended
National Wildlife Refuge System Administration Act of 1966 as amended
O & C Act of 1937
Protection Act of 1922
Reciprocal Fire Protection Act of 1955
Rivers and Harbors Act of 1938

Supplemental Appropriation Act of 1982
Taylor Grazing Act of 1934
Tribal Self-Governance Act of 1994
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Wildfire Disaster Recovery Act of 1989
Wildfire Suppression Assistance Act of 1989

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Executive Order # 13084: Consultation and Coordination with Indian Tribal Governments
Executive Order # 13112: Invasive Species
Executive Order # 13186: Responsibilities of Federal Agencies to Protect Migratory Birds

Federal Register

http://www.archives.gov/federal_register/publications/about_the_federal_register.html

Code of Federal Regulations

<http://www.gpoaccess.gov/cfr/index.html>

36 CFR Chapter II, National Forest Service, Department of Agriculture, 200-299
36 CFR 800 Protection of Historic Properties
40 CFR 1500 Regulations for Implementing the National Environmental Policy Act
43 CFR 7 Protection of Archaeological Resources

Other Agency Regulations

Council on Environmental Quality – National Environmental Policy Act Guidelines

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Interagency Standards for Fire and Fire Aviation Operations 2004

National Fire Plan

National Interagency Incident Management System Wildland and Prescribed Fire Qualifications System Guide (PMS 310-1)

National Interagency Mobilization Guide (NFES 2092)

Department of Agriculture

USDA Directives

<http://www.ocio.usda.gov/directives/index.html>

National Forest Service

Forest Service Directives

<http://www.fs.fed.us/im/directives/dughtml/overview.html>

Forest Service Appeals and Litigation Web Page

<http://www.fs.fed.us/emc/applit/index.htm>

Forest Service NEPA

<http://www.fs.fed.us/emc/nepa/index.htm>

Forest Service Handbook 1909.15 §303.3

Forest Service Manual 5100

Roadless Area Conservation Rule

National Forest Service Regional Standards and Guidelines

Minimum Impact Suppression Tactics Guidelines (USFS, Northern Region, 1993)

In Forest

Enabling Legislation of the Forest

Forest Management Plan

Fire Effects Monitoring Plan

Hazard Fuels Management Plan
Land and Resource Management Plans
Joint Fire Management Plans with other agencies
Town and county plans (inter-governmental)
Interagency Fire Management Planning and Coordination Guide
Cooperative Fire Management Agreements
Interagency Aviation Management Plan (Local Agencies)
State environmental laws

Consultation

Local town and county offices
Town and county fire departments
State Department of Transportation
Neighboring parks and forests
Office of the Governor
State Game and Fish Department and USFWS §7 of the ESA
State Historic Preservation Office - §110/106, and other consultation
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State Smoke Management Plan --- Meets the CAA and Regional Haze Rule
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US Army Corps of Engineers §404, §401
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Site Specific Plans

Incident Action Plans
Wildland Fire Situation Analysis (WFSA)
Wildland Fire Implementation Plan (WFIP)
Prescribed Fire Burn Plan
Hazard Fuel Reduction Plan
Burned Area Rehabilitation Plan (BAER)

Additional Information:

What statutory authorities do you use for operational response to an emergency?

Fire-related Authorities

Authority: Rural Fire Prevention and Control
Citation: Section 10 of the Cooperative Forestry Assistance Act of 1978, as amended, 16 U.S.C. 2106
See Appendix A 1, page 1.

Authority: Enhanced Community Fire Protection
Citation: Section 10A of the Cooperative Forestry Assistance Act of 1978,

16 U.S.C. 2106c
See Appendix A 2, page 8.

Authority: Assistance in Fire Emergencies
Citation: 42 U.S.C. 1856b
See Appendix A 3, page 15.

Forest Health Related Authorities

Authority: Assistance in Emergency Forest Insect and Disease Epidemics
Citation: Section 8(b)(3) of the Cooperative Forestry Assistance Act of 1978, as amended, 16 U.S.C. 2104(b)(3)
See Appendix A 4, page 16.

Authority: Public Lands Corps Program
Citation: The Public Lands Corps Act of 1993, 16 U.S.C. 1723
See Appendix A 5, page 37.

Authority: Closure Authority
Citation: The Organic Act, 16 U.S.C. 551
See Appendix A 6, page 40.

Authority: Assistance in Emergency Forest Insect and Disease Epidemics
Citation: Section 8(b)(3) of the Cooperative Forestry Assistance Act of 1978, as amended, 16 U.S.C. 2104(b)(3)
See Appendix A 7, page 45.

Authority: Wyden Amendment
Citation: Section 323 of the Department of the Interior and Related Agencies Appropriations Act, 1999 (Public Law 105-277; 16 U.S.C. 1011 note)
See Appendix A 8, page 66.

Authority: Invasive Species Control and Management
Citations: Section 15 of the Federal Noxious Weed Act of 1974, 7 USC 2814, Section 8 of the Cooperative Forestry Assistance Act of 1978, as amended, 16 U.S.C. 2104, Section 5 of the Public Rangelands Improvement Act of 1978, 43 U.S.C. 1904(c), Section 401 of the Federal Land Policy and Management Act of 1976, 43 U.S.C. 1751, Section 3 of the Hawaiian Tropical Forestry Recovery Act, 16 U.S.C. 4502a, Section 602(b)(1) of the International Forestry Cooperation Act of 1990, 16 U.S.C. 4501(b)(1), and the Forest and Rangeland Renewable Resources Research Act of 1978
See Appendix A9, page 71.

All-Risk and other Emergency Related Authorities

Note that the Forest Service is limited to be able to respond adequately only to Presidential-declared non-fire emergencies. If the Forest Service is responding to an emergency that is a Secretarially-declared, we appear to face authority limitations that often make operational and acquisition responses difficult to manage in emergency situations.

Authority: Robert T. Stafford Disaster Relief and Emergency Assistance Act.
Citation: 42 U.S.C. 5121, et seq., and Executive Order 12148
See Appendix A 10, page 77.

Authority: Employment of Workers for Emergencies
Citation: 16 U.S.C. 554e
See Appendix A 11, page 93.

Authority: Public Lands Corps Program
Citation: 16 U.S.C. 1723
See Appendix A 5, page 37.
Remarks: Authorizes the Secretary to use the Public Land Corps to carry out conservation or other appropriate projects on Federal, State, local, or private lands as part of disaster relief or prevention in response to an emergency or major disaster declared under the Stafford Act.

Authority: Damage to Private Property (Search and Rescue)
Citation: Section 3 of the Act of May 27, 1930, as amended, 16 U.S.C. 575
See Appendix A 12, page 95.

Does your Agency have any other special administrative authorities (i.e., special hiring, pay and compensation, settlement of torts, or other activities) related to emergency response?

Pursuant to 5 U.S.C. 5102(C)(19) (See Appendix C1, page 187), 7 U.S.C. 2225 (See Appendix C2, page 217) and 2226 (See Appendix C3, page 220), and 43 U.S.C. 1469 (See Appendix C4, page 221) the Forest Service has authority to hire casual employees during emergencies under the Administratively Determined (AD) pay plan.

The Forest Service does not have delegated authority to settle tort claims. The USDA Office of the General Counsel is delegated the authority to determine and settle claims filed under the Federal Tort Claims Act. (28U.S.C. 1346, 2401, and 2671 through 2680 establish Federal Tort claims procedures), see Appendix C5, page 222; Appendix C6, page 237, and Appendix C7, page 242 respectively. Agency Claims Specialists work closely with Regional and W-OGC Attorneys (General Law Division) in the adjudication of tort claims, but there is no authority or special legislation requiring acceleration of the process or allowing FS officials to make a determination. The Government has six months from the date a tort claim is filed to provide a determination to the claimant.

There are other authorities under which an individual's claim for damage or destruction of personal property may be considered. These claims are subject to settlement by Forest Service officials:

A. 16 U.S.C. 574 provides authority for reimbursement for damage to or destruction of private property in the protection, administration, and improvement of the National Forests. This is a non-tort statute, and only applies to incidents where Government negligence is not a factor. The award cap per claim/per incident is \$2,500. Delegated Forest Service Claims Officers may adjudicate these claims. See Appendix C8, page 250.

B. 16 U.S.C. 502 provides authority for reimbursement to owners for the loss, damage, or destruction of "hired equipment" not signed up under a contract or other agreement. The award cap per claim is \$2,500. Delegated Forest Service Claims Officers may adjudicate these claims. See Appendix C9, page 252.

We have proposed legislation, several times, to raise the award caps for both 16 U.S.C. 574 and 502 claims. To date, we have been unsuccessful.

C. 31 U.S.C. 3721, the Military Personnel and Civilian Employees' Claims Act of 1964, as amended, provides authority for the Agency to determine, settle, and pay claims for loss of or damage to personal property submitted by Forest Service employees, under certain circumstances. The award cap per claim is \$40,000. This cap exists in order to cover TOS household goods claims. Name-designated FS Delegated Approving Officials may adjudicate these claims. See Appendix C10, page 255.

What is your authority for cooperative interactions?

The Forest Service (FS) has many authorities for cooperative interaction. Some of the laws governing the operations and activities of the Forest Service are listed in the table below.

Authority	Purpose
Government Wide Use:	
The Economy Act of June 30, 1932 (31 U.S.C. 1535, Pub. L. 97-258 and 98-216). See Appendix B 4, page 176.	Section 601 of this Act authorizes one Federal agency to requisition work, services, supplies, materials, or equipment from another Federal agency. (FSM 1585.12)
Intergovernmental Cooperation Act of 1968, as amended by the Intergovernmental Cooperation Act of September 13, 1982 (31 U.S.C. 6501-6508, Pub. L. 97-258). See Appendix D 1 through D-8, pages 270 –318.	Title III of this Act authorizes the Forest Service to provide special or technical services to States or subdivisions of States. (FSM 1584.15)
Federal Technology Transfer Act of 1986 (15 U.S.C. 3710a, Pub. L. 96-480). See Appendix D 9, page 319.	This Act authorizes the Forest Service to enter into cooperative research and development agreements for technological transfer for commercial purposes. (FSM 1587.14)
Federal Grants and Cooperative Agreements Act of 1977, as amended by the Using Procurement Contracts and Grant and Cooperative Agreements Act of September 13, 1982 (31 U.S.C. 6301-6308, Pub. L. 97-258), as amended. See Appendix D 10, page 345.	Unless the relationship is otherwise specified by statute, this Act requires that Federal agencies characterize the relationship between a Federal and non-Federal party as one of a procurement contract or of Federal financial assistance. The selection of a particular instrument, such as, a procurement contract or an assistance instrument, to document the transaction shall be determined by this relationship. Consider specific laws, regulations, and the vesting of title to property in research activities. (FSM 1580.6 and FSM

	1582)
United States Information and Exchange Act (22 U.S.C. 1451 and 1479, Pub. L. 97-241). See Appendix D 11, page 348 and D 12, page 351.	This Act authorizes the Forest Service to cooperate with a foreign government by providing at its request Forest Service employees with specific technical or professional qualifications. (FSM 1584.16)
Service-wide Use:	
Granger-Thye Act of April 24, 1950 (16 U.S.C. 572). See Appendix D 13, page 353.	Section 5 of this Act authorizes the Forest Service to perform work to be done for the benefit of the depositor, for administration, protection, improvement, reforestation, and such other kinds of work as the Forest Service is authorized to do on lands of the United States: (a) on State, county, municipal, or private land within or near National Forest land, or (b) for others who occupy or use National Forests or other lands administered by the Forest Service. (FSM 1584.12)
Title 7, United States Code, Section 2204a See Appendix D 14, page 357.	This section provides for the exchange of personnel and facilities in each field office of the Department of Agriculture to the extent necessary and desirable to achieve the most efficient use of personnel and facilities and to provide the most effective assistance in the development of rural areas in accordance with State rural development plans. (FSM 1585.11)
State and Private Forestry:	
Cooperative Forestry Assistance Act of 1978, as amended (16 U.S.C. 2101-2114, Pub. L. 95-313), as amended by the 2002 Farm Bill. See Appendix D 15, page 360.	<p>This Act authorizes the Forest Service to work through and in cooperation with State Foresters or equivalent agencies, and other countries in implementing technical programs affecting non-Federal forest lands. (FSM 1581.13)</p> <p>As amended by the 2002 Farm Bill: Enhanced Community Fire Protection. Recognizing the significant Federal interest in enhancing community protection from wildfire, the Secretary is authorized to cooperate with State Foresters in the management of lands to</p> <ol style="list-style-type: none"> 1) focus the Federal role in promoting optimal firefighting efficiency at the Federal, State and local levels; 2) expand outreach and education programs to homeowners and communities about fire protection; and 3) establish space around homes and property that is defensible against wildfire. <p>The Secretary, in consultation with State Foresters and with the consent of private landowners, may undertake specified activities on non-</p>

	Federal lands to further these purposes.
National Forest System:	
The Reciprocal Fire Act of May 27, 1955 (42 U.S.C. 1856a, Pub.L. 84-46). See Appendix D 16, page 380.	This Act authorizes the Forest Service to enter into reciprocal agreements with any fire organization maintaining fire protection facilities in the vicinity of national forests lands. (FSM 1582)
Federal Noxious Weed Act of 1974 (Pub. L. 93-629, 7 U.S.C. 2801 et seq., Pub. L. 101-624). See Appendix D 17, page 383.	Title XIV, Subtitle D – Other Conservation Measures, authorizes the Forest Service to issue cooperative agreements to State agencies (or political subdivisions thereof responsible for the administration or implementation of undesirable plant laws of a State) for establishment of an undesirable plant management program and integrated management systems to control or contain undesirable plant species, and to issue specific cost-sharing cooperative agreements with State and local agencies to manage noxious weeds in an area if a majority of landowners in that area agree to participate in a noxious weed program. (FSM 1581.23)

The National Interagency Mobilization Guide lists the following interagency agreements used for wildland firefighting at the National level. They are as follows:

- Memorandum of Understanding between the Department of Defense and the Departments of Agriculture and the Interior.
- Memorandum of Understanding between Department of Army/DOD Executive Agent and Boise Interagency Fire Center.
- Interagency Agreement Between the Bureau of Land Management, Bureau of Indian Affairs, National Park Service, Fish & Wildlife Service of the United States Department of the Interior, and the Forest Service of the United States Department of Agriculture (02-IA-11132543-21).
- Memorandum of Understanding between the USDA Forest Service and the USDOJ (Law Enforcement).
- US Agency for International Development (USAID)/USDOJ Bureau of Land Management.
- Interagency Memorandum of Agreement between USDA Forest Service/USDOJ Bureau of Land Management and the US Army Special Operations Command.
- Interagency Agreement Between the US Department of the Interior, Bureau of Land Management and US Department of Agriculture, Forest Service for the Joint Operation of Smokejumper Resources.
- Agreement between North Carolina Department of Natural Resources and Community Development Division of Forest Resources and Forest Service, United States Department of Agriculture.
- Agreement between California Department of Forestry, National Guard and USDA Forest Service, Pacific Southwest Region.
- Collection Agreement between Wyoming State Forestry Division and Forest Service, United States Department of Agriculture.

These agreements can be accessed through the following website link:

www.nifc.gov/news/nicc.html

Additionally, there are Cooperative Fire Management Agreements with each State, and many local forest agreements with adjacent local government units.

Policies Related to Emergencies

The Interagency Incident Business Management Handbook, FSH5109.34 describes the policies that are in place for FAM emergency administrative business practices and can be accessed through the following website link <http://www.nwcg.gov/pms/pubs/iibmh2.pdf>

CFR Citations Related to Emergency Response

All-Risk response of the Stafford Act. 44 CFR 300.1-3 includes the regulations related to Disaster Preparedness Assistance under the Stafford Act, which covers Presidential declared disasters.

Extensive portions of the regulations in Title 44 - Emergency Management and Assistance relate to the authority of the FS when responding to emergency situations under the Stafford Act or Executive Order 12148. Applicable regulations include 44 CFR Parts 1, 2, 5, 7-10, 12-15, 18, 151, 201, 206, 209, 295, 300, 302, 304, 312, 321-323, 326, 327, 350-354, 360, 361. Many of these regulations apply to the Forest Service when the FS is tasked by FEMA to respond to a Presidential Declared disaster.

FIRE PROGRAM MANAGEMENT M-581
2A – ENABLING LAWS, AUTHORITIES, AND AGREEMENTS
Fish and Wildlife Service

Listed below are laws, policies, and other agency specific references to help guide fire managers in the planning process. Managers should be aware of these policies and procedures and consider them throughout the planning/implementation process. This list is for reference only and is by no means all-inclusive. Managers must examine what is appropriate for their individual park or unit.

Executive/Congress

<http://www.law.cornell.edu/statutes.html>

See DOI Acts Listed in *Interagency Standards for Fire and Fire Aviation Operations, 2005*,
Federal Fire Program Policy and Guidance Overview

Additional Statutes (in alphabetical order)

Administrative Procedures Act of 1946
Antiquities Act of 1906
Archaeological and National Historic Preservation Act of 1960, as amended
Archaeological Resources Protection Act of 1960
Clean Air Act of 1970, as amended
Clean Water Act of 1972, as amended
Endangered Species Act of 1973, as amended
Federal Land Policy and Management Act of 1976
Fish and Wildlife Act of 1956
Migratory Bird Conservation Act
Migratory Bird Treaty Act of 1918
Museum Properties Management Act of 1955, as amended
National Environmental Policy Act of 1969, as amended
National Historic Preservation Act of 1966
North American Waterfowl Management Plan
Refuge Recreation Act of 1962 (50 CFR)
Rivers and Harbors Act of 1938
Wild and Scenic Rivers Act of 1968
Wilderness Act of 1964
Wildfire Disaster Recovery Act of 1989

Executive orders are official documents, numbered consecutively, through which the President of the United States manages the operations of the Federal Government.

http://www.archives.gov/federal_register/executive_orders/executive_orders.html

For those specific to FWS see: <http://laws.fws.gov/lawsdigest/eoindex.html>

Executive Order # 11514: Protection and Enhancement of Environmental Quality
Executive Order # 11593: Protection and Enhancement of the Cultural Environment
Executive Order # 11644: Use of Off-Road Vehicles on Public Lands
Executive Order # 11988: Flood Plain Management
Executive Order # 11990: Protection of Wetlands
Executive Order # 12088: Federal Compliance with Pollution Control Standards

Executive Order # 12148: Federal Emergency Management
Executive Order # 12898: General Actions to Address Environmental Justice in Minority
Populations and Low-Income Populations
Executive Order # 12996: Management and General Public Use of the National Wildlife Refuge
System
Executive Order # 13007: Indian Sacred Sites
Executive Order # 13084: Consultation and Coordination with Indian Tribal Governments
Executive Order # 13112: Invasive Species
Executive Order # 13186: Responsibilities of Federal Agencies to Protect Migratory Birds

Federal Register

http://www.archives.gov/federal_register/publications/about_the_federal_register.html

Code of Federal Regulations

<http://www.gpoaccess.gov/cfr/index.html>

50 CFR Chapter I, US Fish and Wildlife Service, Department of the Interior, 1-199

43 CFR 7 Protection of Archaeological Resources

36 CFR 800 Protection of Historic Properties

40 CFR 1500 Regulations for Implementing the National Environmental Policy Act

Other Agency Regulations

Council on Environmental Quality – National Environmental Policy Act Guidelines

<http://ceq.eh.doe.gov/nepa/nepanet.htm>

Environmental Protection Agency

<http://www.epa.gov/>

Federal Aviation Administration (FAA) rules and regulations

<http://www.faa.gov/regulations/index.cfm>

Interagency Policy

10-Year Comprehensive Study 2000 President Clinton: Memorandum of Action to the
Secretaries of Agriculture and Interior. 2001 Secretaries joined with the Western Governor's
Association, National Association of State Foresters, National Association of Counties, and
the Intertribal Timber Council

1995 & 2001 Federal Fire Policy Reviews and related guidelines

EPA – Interim Air Quality Policy on Wildland and Prescribed Fires, Federal Wildland Fire
Management Policy, and PM10 Natural Events Policy.

Fireline Handbook (PMS 410-1)

Incident Response Pocket Guide (PMS 461)

Interagency Agreement for Fire Management 1999, Interagency Agreement between the BLM,
Bureau of Indian Affairs, NPS, FWS of the US Department of Interior, and the National
Forest Service of the Department of Agriculture.

Interagency Burned Area Emergency Stabilization and Rehabilitation Handbook (USDA, USDI,
2002)

Interagency Helicopter Operations Guide

Interagency Incident Business Management Handbook (PMS 902-1)
Interagency Standards for Fire and Fire Aviation Operations 2004
National Fire Plan
National Interagency Incident Management System Wildland and Prescribed Fire Qualifications System Guide (PMS 310-1)
National Interagency Mobilization Guide (NFES 2092)
National Wildfire Coordinating Group (NWCG)

Department of Interior

USDI Departmental Manual
Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation
Department of Interior Secretarial Order No. 3206
Secretarial Order No. 3175
Department Manual, Part 620, Part 910
Aviation Management and Department Manual, Parts 350 - 354
DOI Incident Qualification System
DI 1202 process (reporting burns?)
Departments BAER Handbook
FirePro – DOI firefighting accounting (RM -18)

Fish and Wildlife Service

US Fish & Wildlife Service Manual
<http://policy.fws.gov/manual.html>
Index: <http://policy.fws.gov/series.html>
Fire Management: Part 621

US Fish & Wildlife Service Division of Legislative and Congressional Affairs
<http://laws.fws.gov/>

*Directors Orders supplement or amend US Fish and Wildlife Service Management Policies.
These are a few related to Fire Management*

<http://policy.fws.gov/do.html>

Director's Order # 27 National Environmental Policy Act Compliance Checklist
Director's Order # 136 Burned Area Emergency Stabilization and Rehabilitation
Director's Order # 173 Use of Department of the Interior (DOI) Wildland Firefighter Standardized Position Descriptions

Refuge

Managers of refuges may develop refuge-specific instructions, procedures, and other guidance documents for implementing Service-wide policy. See individual refuge websites and/or their planning division.

Comprehensive Conservation Plan
Habitat Management Plan
Cultural Resources Management Plan
Wilderness Management Plan
Public Use Management Plan
Enabling Legislation of the Refuge

Park General Management Plan
Fire Effects Monitoring Plan
Hazard Fuels Management Plan
Prescribed Fire Plan
Joint Fire Management Plans with other agencies
Town and county plans (inter-governmental)
Interagency Fire Management Planning and Coordination Guide
Cooperative Fire Management Agreements
Interagency Aviation Management Plan (Local Agencies)
State environmental laws

Consultation

Local town offices
Local county offices
Town and county fire departments
State Department of Transportation
Neighboring forests
Office of the Governor
State Game and Fish Department and USFWS §7 of the ESA
State Historic Preservation Office - §110/106, and other consultation
State Department of Environmental Quality – under authority of the Clean Air Act, Clean Water Act ----
State Smoke Management Plan --- Meets the CAA and Regional Haze Rule
USFWS – National Wetlands Inventory
US Army Corps of Engineers §404 – wetland function affected §401
Tribal Offices
Special Interest Groups

Site Specific Plans

Incident Action Plans
Wildland Fire Situation Analysis (WFSA)
Wildland Fire Implementation Plan (WFIP)
Prescribed Fire Burn Plan
Hazard Fuel Reduction Plan
Burned Area Rehabilitation Plan (BAER)

DOI Acts Listed in

Interagency Standards for Fire and Fire Aviation Operations 2004

Federal Fire Program Policy and Guidance Overview

Alaska National Interest Conservation Act of 1980 (ANILCA)
Alaska Native Claims Settlement Act of 1971
Department of the Interior and Related Agencies Appropriations Act
Disaster Relief Act of 1974, as amended
Economy Act of 1932
Federal Fire Prevention and Control Act of 1974 as amended: Fire Administration Authorization Act of 2000
Federal Grant and Cooperative Agreement Act of 1977 as amended
Federal Property and Administrative Service Act of 1949

Indian Self-Determination and Education Assistance Act as amended
McSweeney-McNary Act of 1928
National Indian Forest Resources Management Act of 1990
National Park Service Acts as amended
National Wildlife Refuge System Administration Act of 1966 as amended
O & C Act of 1937
Protection Act of 1922
Reciprocal Fire Protection Act of 1955
Supplemental Appropriation Act of 1982
Taylor Grazing Act of 1934
Tribal Self-Governance Act of 1994
Wildfire Suppression Assistance Act of 1989

FIRE PROGRAM MANAGEMENT M-581
2A – ENABLING LAWS, AUTHORITIES, AND AGREEMENTS
National Park Service

Listed below are laws, policies, and other agency specific references to help guide fire managers in the planning process. Managers should be aware of these policies and procedures and consider them throughout the planning/implementation process. This list is for reference only and is by no means all-inclusive. Managers must examine what is appropriate for their individual park or unit.

Executive/Congress

<http://www.law.cornell.edu/statutes.html>

See DOI Acts Listed in *Interagency Standards for Fire and Fire Aviation Operations, 2005*, Federal Fire Program Policy and Guidance Overview

Additional Statutes (in alphabetical order)

Administrative Procedures Act of 1946
Antiquities Act of 1906
Archaeological and National Historic Preservation Act of 1960, as amended
Archaeological Resources Protection Act of 1960
Clean Air Act of 1970, as amended
Clean Water Act of 1972, as amended
Endangered Species Act of 1973, as amended
Federal Land Policy and Management Act of 1976
General Authorities Act of 1970, as amended
Migratory Bird Treaty Act of 1918
Museum Properties Management Act of 1955, as amended
National Environmental Policy Act of 1969, as amended
National Historic Preservation Act of 1966
National Park Service Organic Act of 1916
National Parks and Recreation Act of 1978
National Parks Omnibus Management Act of 1998 (repealed Concession's Policy Act)
Redwoods Act of 1965, as amended
Rivers and Harbors Act of 1938
Wild and Scenic Rivers Act of 1968
Wilderness Act of 1964
Wildfire Disaster Recovery Act of 1989

Executive orders are official documents, numbered consecutively, through which the President of the United States manages the operations of the Federal Government

http://www.archives.gov/federal_register/executive_orders/executive_orders.html

Executive Order # 11514: Protection and Enhancement of Environmental Quality
Executive Order # 11593: Protection and Enhancement of the Cultural Environment
Executive Order # 11644: Use of Off-Road Vehicles on Public Lands
Executive Order # 11988: Flood Plain Management
Executive Order # 11990: Protection of Wetlands
Executive Order # 12088: Federal Compliance with Pollution Control Standards

Executive Order # 12148: Federal Emergency Management
Executive Order # 12898: General Actions to Address Environmental Justice in Minority Populations and Low-Income Populations
Executive Order # 13007: Indian Sacred Sites
Executive Order # 13084: Consultation and Coordination with Indian Tribal Governments
Executive Order # 13112: Invasive Species
Executive Order # 13186: Responsibilities of Federal Agencies to Protect Migratory Birds

Federal Register

http://www.archives.gov/federal_register/publications/about_the_federal_register.html

Code of Federal Regulations

<http://www.gpoaccess.gov/cfr/index.html>

36 CFR Chapter I, National Park Service, Department of the Interior, 1-199

36 CFR 800 Protection of Historic Properties

40 CFR 1500 Regulations for Implementing the National Environmental Policy Act

43 CFR 7 Protection of Archaeological Resources

Other Agency Regulations

Council on Environmental Quality – National Environmental Policy Act Guidelines

<http://ceq.eh.doe.gov/nepa/nepanet.htm>

Environmental Protection Agency

<http://www.epa.gov/>

Federal Aviation Administration (FAA) rules and regulations

<http://www.faa.gov/regulations/index.cfm>

Interagency Policy

10-Year Comprehensive Study 2000 President Clinton: Memorandum of Action to the Secretaries of Agriculture and Interior. 2001 Secretaries joined with the Western Governor's Association, National Association of State Foresters, National Association of Counties, and the Intertribal Timber Council

1995 & 2001 Federal Fire Policy Reviews and related guidelines

EPA – Interim Air Quality Policy on Wildland and Prescribed Fires, Federal Wildland Fire Management Policy, and PM10 Natural Events Policy.

Fireline Handbook (PMS 410-1)

Incident Response Pocket Guide (PMS 461)

Interagency Agreement for Fire Management 1999. Amended the 1997 Interagency Agreement between the BLM, Bureau of Indian Affairs, NPS, FWS of the US Department of Interior, and the National Forest Service of the Department of Agriculture.

Interagency Burned Area Emergency Stabilization and Rehabilitation Handbook (USDA, USDI, 2002)

Interagency Helicopter Operations Guide

Interagency Incident Business Management Handbook (PMS 902-1)

Interagency Standards for Fire and Fire Aviation Operations 2004

National Fire Plan

National Interagency Incident Management System Wildland and Prescribed Fire Qualifications System Guide (PMS 310-1)
National Interagency Mobilization Guide (NFES 2092)
National Wildfire Coordinating Group (NWCG)

Department of Interior

USDI Departmental Manual
Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation
Department of Interior Secretarial Order No. 3206
Secretarial Order No. 3175
Department Manual, Part 620, Part 910
Aviation Management and Department Manual, Parts 350 - 354
DOI Incident Qualification System
DI 1202 process (reporting burns?)
Departments BAER Handbook
FirePro – DOI firefighting accounting (RM -18)

National Park Service

NPS Organic Act
NPS Management Policies 2001

Directors Orders Supplement or amend NPS Management Policies. These are a few related to Fire Management

<http://data2.itc.nps.gov/npspolicy/dOrders.cfm>

Director's Order #2 Park Planning
Director's Order #77 Natural Resource Protection
Director's Order #18 Wildland Fire Management & Subsequent Reference Manual
Director's Order #12 Environmental Impact Analysis - NEPA
Director's Order # 41 Wilderness Preservation and Management
Director's Order # 28 Cultural Resources Management Guidelines
Director's Order # 75A Civic Engagement and Public Involvement
Director's Order # 60 Aviation Management
Reference Manual 60 - NPS Aviation Management Policy

Supplemental policies, directives, and other guidance in conformance with Service-wide policies and authority, may be issued by regional directors or their delegates. See Regional websites.

http://im.den.nps.gov/den_planning.cfm

Fire Monitoring Handbook
NPS Directive 93-4
NPS Wildland Fire Management Strategic Plan 2003-2008
Programmatic Memorandum of Agreement (MOA) Among the NPS, Advisory Council on Historic Preservation, and the National Council of State Historic Preservation Officers
NPS Wildland Fire Strategic Plan – 2004
Interagency Standards for Fire and Aviation Operations (Chemicals, etc)

In Park

Superintendents of parks may develop park-specific instructions, procedures, and other guidance documents for implementing Service-wide policy. See individual park website and Planning Division. Ex. <http://www.nps.gov/grte/plans/planning.htm>

Enabling Legislation of the Park
Park General Management Plan
Fire Effects Monitoring Plan
Hazard Fuels Management Plan
Resource Management Plan
Joint Fire Management Plans with other agencies
Town and county plans (inter-governmental)
Interagency Fire Management Planning and Coordination Guide
Cooperative Fire Management Agreements
Interagency Aviation Management Plan (Local Agencies)
State environmental laws

Consultation

Local town offices
Local county offices
Town and county fire departments
State Department of Transportation
Neighboring forests
Office of the Governor
State Game and Fish Department and USFWS §7 of the ESA
State Historic Preservation Office - §110/106, and other consultation
State Department of Environmental Quality – under authority of the Clean Air Act, Clean Water Act ----
State Smoke Management Plan --- Meets the CAA and Regional Haze Rule
USFWS – National Wetlands Inventory
US Army Corps of Engineers §404 – wetland function affected §401
Tribal Offices
Special Interest Groups

Site Specific Plans

Incident Action Plans
Wildland Fire Situation Analysis (WFSA)
Wildland Fire Implementation Plan (WFIP)
Prescribed Fire Burn Plan
Hazard Fuel Reduction Plan
Burned Area Rehabilitation Plan (BAER)

DOI Acts Listed in

Interagency Standards for Fire and Fire Aviation Operations 2004
Federal Fire Program Policy and Guidance Overview
Alaska National Interest Conservation Act of 1980 (ANILCA)
Alaska Native Claims Settlement Act of 1971
Department of the Interior and Related Agencies Appropriations Act
Disaster Relief Act of 1974, as amended

Economy Act of 1932
Federal Fire Prevention and Control Act of 1974 as amended: Fire Administration Authorization Act of 2000
Federal Grant and Cooperative Agreement Act of 1977 as amended
Federal Property and Administrative Service Act of 1949
Indian Self-Determination and Education Assistance Act as amended
McSweeney-McNary Act of 1928
National Indian Forest Resources Management Act of 1990
National Park Service Acts as amended
National Wildlife Refuge System Administration Act of 1966 as amended
O & C Act of 1937
Protection Act of 1922
Reciprocal Fire Protection Act of 1955
Supplemental Appropriation Act of 1982
Taylor Grazing Act of 1934
Tribal Self-Governance Act of 1994
Wildfire Suppression Assistance Act of 1989

FIRE PROGRAM MANAGEMENT M-581

UNIT 2 – POLICY/PLANNING

Optional Home/Classroom Project

Name _____

You are writing a burn plan for your home unit. Where do you start?

- What statutes give you authority?
- What executive orders?
- What director/chief's orders?
- What plans are in place in your unit that this can tier from?
- Whom do you consult with?
- Who would be good members of an ID Team?